

Brent O. Hatch (5715)
Mark F. James (5295)
HATCH, JAMES & DODGE, PC
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
Telephone: (801) 363-6363
Facsimile: (801) 363-6666

Robert Silver (admitted pro hac vice)
Edward Normand (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, New York 10504
Telephone: (914) 749-8200
Facsimile: (914) 749-8300

Stuart H. Singer (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
401 East Las Olas Boulevard – Suite 1200
Ft. Lauderdale, Florida 33301
Telephone: (954) 356-0011
Facsimile: (954) 356-0022

Stephen N. Zack (admitted pro hac vice)
BOIES, SCHILLER & FLEXNER LLP
Bank of America Tower – Suite 2800
100 Southeast Second Street
Miami, Florida 33131
Telephone: (305) 539-8400
Facsimile: (305) 539-1307

Attorneys for The SCO Group, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC. Plaintiff/Counterclaim-Defendant, v. INTERNATIONAL BUSINESS MACHINES CORPORATION, Defendant/Counterclaim-Plaintiff.	[PROPOSED] ORDER GRANTING EX PARTE MOTION FOR LEAVE TO FILE OVERLENGTH MEMORANDA Case No. 2:03CV0294DAK Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells
--	--

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File Overlength Memoranda. The Court, having considered the matter, hereby determines that good cause and exceptional circumstances

exist and hereby ORDERS that SCO is granted leave to file the following Overlength Memoranda, of the approximate lengths indicated:

1. **SCO'S MEMORANDUM IN OPPOSITION TO IBM'S "MOTION FOR SUMMARY JUDGMENT ON SCO'S INTERFERENCE CLAIMS (SCO'S SEVENTH, EIGHTH AND NINTH CAUSES OF ACTION)"**
 - a. Which consists of 29 pages, exclusive of face sheet, table of contents, statements of issues and facts, and exhibits.
2. **SCO'S MEMORANDUM IN OPPOSITION TO IBM'S "MOTION FOR SUMMARY JUDGMENT ON SCO'S COPYRIGHT CLAIM (SCO'S FIFTH CAUSE OF ACTION)"**
 - a. Which consists of 43 pages, exclusive of face sheet, table of contents, statements of issues and facts, and exhibits.
3. **SCO'S MEMORANDUM IN OPPOSITION TO IBM'S MOTION FOR SUMMARY JUDGMENT ON SCO'S CONTRACT CLAIMS**

Which consists of 176 pages, exclusive of face sheet, table of contents, statements of issues and facts, and exhibits.
4. **SCO'S MEMORANDUM IN OPPOSITION TO IBM'S MOTION FOR SUMMARY JUDGMENT ON ITS CLAIM FOR DECLARATORY JUDGMENT (IBM'S) TENTH COUNTERCLAIM**
 - a. Which consists of 53 pages, exclusive of face sheet, table of contents, statements of issues and facts, and exhibits.

DATED: _____, 2006.

BY THE COURT:

Honorable Dale A. Kimball